

Records / Customer Service Cases

#248040

Summary News Related Actions

Case Details

Topic Other
Status Closed
Priority Medium
Inquiry Type Phone

Created By USAC
Created On 9/12/2018 9:46 AM CST
Organization ST LOUIS COUNTY LIBRARY

Case Description

Description received ridf letter

Case Artifacts

Documents

Name	Uploaded By	Upload Date
No items available		

Attachments

Attachment	Attachment Type
No items available	

Case Thread

User	Note	Date
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User

Note

Date

Thank you for contacting USAC's Client Service Bureau.

Any decision made by USAC or the Schools and Libraries Program regarding eligibility, funding, or payment recovery, can be appealed by the impacted party.

USAC must receive a complete appeal within 60 days of the issuance of the decision by USAC; e.g., a FCDL must be appealed within 60 days of the date of the FCDL. To allow sufficient time for review, USAC encourages impacted parties to submit appeals as soon as possible following USAC's decision. Failure to provide all required documentation within 60 days of USAC's decision will result in dismissal of the appeal. See 47 C.F.R. Section 54.719-54.725 for the FCC's rules on filing an appeal.

There are three paths to beginning an appeal in EPC:

1. You can reach it from the Landing Page. Click Appeal in the list of options at the top right, or
2. You can reach it from the top-right drop-down menu on the Entity Summary Page. Click Create Appeal, or
3. You can reach it from the Related Actions section of the Entity Summary Page. Click Create Appeal.

The remaining steps are as follows:

1. On the first page, enter a Nickname for your appeal and choose the appropriate Funding Year.
2. Select the appropriate options under What type of decision you would like to appeal?, "Appeal Type", and "Appeal Category".
3. Enter the name of the Main Contact Person. Click Continue.
4. On the next page, under Choose Search Method, choose Search by FRN or Search by Post-Commitment Request.
 - a. If you chose Search by FRN, use the filters to find the FRN(s) for which you would like to submit an appeal.
 - i. Place a checkmark next to the FRNs and click Add (#) FRNs.
 - ii. To remove an FRN, place a checkmark next to it and select Remove (#) FRNs.
 - iii. After all appropriate FRNs are listed under Selected FRNs, click Continue.
 - b. If you chose Search by Post-Commitment Request, use the filters to find the post-commitment request for which you would like to submit an appeal.
 - i. The system will automatically select all of the FRNs associated with the selected post-commitment request. If any FRNs should be excluded, check the box(es) next to the FRN(s) under the section FRNs associated with Post-Commitment Request and click Remove (#) FRNs.
 - ii. Once only the correct FRNs are listed under FRNs associated with Post-Commitment Request click Continue.
5. On the next page, you may enter up to 2000 characters in the Narrative field to describe your appeal.
6. Attach any supporting documentation using the Upload Document section.
7. Click Submit and confirm by clicking Yes in the pop-up.

USAC

9/12/2018 9:57 AM CST

Case Contact

Case Contact Kristopher Mooney

Revised Funding Commitment Decision Letter

Funding Year 2016

Contact Information:

Kristopher Mooney
ST LOUIS COUNTY LIBRARY
1640 S LINDBERGH BLVD
SAINT LOUIS, MO 63131
kmooney@slcl.org

BEN: 136926**Post Commitment Wave:** 65

Totals

Original Commitment Amount	\$70,584.00
Revised Commitment Amount	\$35,292.00

What is in this letter?

Thank you for submitting your post-commitment request for Funding Year 2016 Schools and Libraries Program (E-rate) funding. Attached to this letter, you will find the revised funding statuses and/or post commitment changes to the original Funding Commitment Decision Letter (FCDL) you received. Below are the changes that were made:

- Appeals
- Appeals
- Appeals

The Universal Service Administrative Company (USAC) is providing this information to both the applicant(s) and the service provider(s) so that all parties are aware of the post-commitment changes related to their funding requests and can work together to complete the funding process for these requests.

Next Steps

1. **File the FCC Form 486**, Service Confirmation and Children's Internet Protection Act (CIPA) Certification Form, for any FRNs included in this RFCDL, if you have not already done so. Please review the CIPA requirements and file the form(s).



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- o **If USAC approved funding on an FRN in your original FCDL**, the deadline to submit the FCC Form 486 is 120 days from the date of the original FCDL or from the service start date (whichever is later).
 - o **If a new FRN was created for this RFCDL or funding was not approved on an FRN in your original FCDL but is approved in this RFCDL**, the deadline to submit the FCC Form 486 is 120 days from the date of this RFCDL or from the service start date (whichever is later).
2. **Invoice USAC**, if you or your service provider have not already done so. Work with your service provider(s) to determine if your bills will be discounted or if you will request reimbursement from USAC after paying your bills in full.
- **If you (the applicant) are invoicing USAC:** You must pay your service provider(s) the full cost for the services you receive and file the [FCC Form 472](#), the Billed Entity Applicant Reimbursement (BEAR) Form, to invoice USAC for reimbursement of the discounted amount.
 - **If your service provider(s) is invoicing USAC:** The service provider(s) must provide services, bill the applicant for the non-discounted share, and file the [FCC Form 474](#), the Service Provider Invoice (SPI) form, to invoice USAC for reimbursement for the discounted portion of costs. Every funding year, service providers must file an [FCC Form 473](#), the Service Provider Annual Certification Form, to be able to submit invoices and to receive disbursements.
 - **To receive an invoice deadline extension, the applicant or service provider** must request an extension on or before the last date to invoice. **If you anticipate, for any reason, that invoices cannot be filed on time**, USAC will grant a one-time, 120-day invoice deadline extension if timely requested.

How to Appeal or Request a Waiver of a Decision

You can appeal or request a waiver of a decision in this letter **within 60 calendar days** of the date of this letter. Failure to meet this deadline will result in an automatic dismissal of your appeal or waiver request.

Note: The Federal Communications Commission (FCC) will not accept appeals of USAC decisions that have not first been appealed to USAC. However, if you are seeking a waiver of E-rate program rules, you must submit your request to the FCC and not to USAC. USAC is not able to waive the E-rate program rules.

- **To submit your appeal to USAC**, visit the Appeals section in the [E-rate Productivity Center \(EPC\)](#) and provide the required information. USAC will reply to your appeal submissions to confirm receipt. Visit USAC's [website](#) for additional information on submitting an appeal to USAC, including step-by-step instructions.
- **To request a waiver of the FCC's rules or appeal USAC's appeal decision**, please submit it to the FCC in proceeding number CC Docket No. 02-6 using the [Electronic Comment Filing System](#) (ECFS). Include your contact information, a statement that your filing is a waiver request,



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identifying information, the FCC rule(s) for which you are seeking a waiver, a full description of the relevant facts that you believe support your waiver request and any related relief, and any supporting documentation.

For appeals to USAC or to the FCC, be sure to keep a copy of your entire appeal, including any correspondence and documentation, and provide a copy to the affected service provider(s).

Obligation to Pay Non-Discount Portion

Applicants are required to pay the non-discount portion of the cost of the eligible products and/or services to their service providers. Service providers are required to bill applicants for the non-discount portion of costs for the eligible products and/or services. The FCC stated that requiring applicants to pay the non-discounted share of costs ensures efficiency and accountability in the program. If using the BEAR invoicing method, the applicant must pay the service provider in full (the non-discount plus discount portion) **before** seeking reimbursement from USAC. If using the SPI invoicing method, the service provider must first bill the applicant **before** invoicing USAC.

Notice on Rules and Funds Availability

The applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program and the FCC's rules. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.



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Revised Funding Commitment Decision Overview

Funding Year 2016

Funding Request Number (FRN)	Service Provider Name	Request Type	Revised Committed	Review Status
1699112111	Charter Fiberlink - Missouri, LLC	Appeals	\$22,980.00	Denied
1699103828	Charter Fiberlink - Missouri, LLC	Appeals	\$4,560.00	Denied
1699102466	Charter Communications	Appeals	\$7,752.00	Denied



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Post Commitment Request Number: 123218	Post Commitment Request Type: Appeals	Post Commitment Decision: Denied
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FRN: 1699112111	Service Type: Data Transmission and/or Internet Access	Original Status: Funded	Revised Status: Funded
FCC Form 471: 161033546			

Dollars Committed			
Monthly Cost		One-Time Cost	
Months of Service	6		
Total Eligible Recurring Charges	\$57,450.00	Total Eligible One Time Charges	\$0.00
Total Pre-Discount Charges		\$57,450.00	
Discount Rate		40.00%	
Revised Committed Amount		\$22,980.00	

Dates	
Service Start Date	1/4/2017
Contract Expiration Date	6/30/2020
Contract Award Date	12/15/2014
Service Delivery Deadline	6/30/2017
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	Charter Fiberlink - Missouri, LLC
SPIN (498ID)	143024207
Contract Number	
Account Number	
Establishing FCC Form 470	899870001249580

Consultant Information	
Consultant Name	
Consultant's Employer	
CRN	

Revised Funding Commitment Decision Comments:
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Post Commitment Rationale:

During the appeal review, it was determined that funds were improperly disbursed for funding request 1699112111. Based on an internal review, the funding amount was confirmed to be \$22,980.00 which is less than the amount that was disbursed. Therefore, USAC will seek recovery of \$22,980.00 in improperly disbursed funds from the applicant. Consequently, your appeal is denied.



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BEN: 136926

Post Commitment Wave: 65

Post Commitment Request Number: 123218	Post Commitment Request Type: Appeals	Post Commitment Decision: Denied
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FRN: 1699103828	Service Type: Data Transmission and/or Internet Access	Original Status: Funded	Revised Status: Funded
FCC Form 471: 161033546			

Dollars Committed			
Monthly Cost		One-Time Cost	
Months of Service	6		
Total Eligible Recurring Charges	\$11,400.00	Total Eligible One Time Charges	\$0.00
Total Pre-Discount Charges		\$11,400.00	
Discount Rate		40.00%	
Revised Committed Amount		\$4,560.00	

Dates	
Service Start Date	1/4/2017
Contract Expiration Date	6/30/2020
Contract Award Date	12/15/2014
Service Delivery Deadline	6/30/2017
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	Charter Fiberlink - Missouri, LLC
SPIN (498ID)	143024207
Contract Number	
Account Number	
Establishing FCC Form 470	899870001249580

Consultant Information	
Consultant Name	
Consultant's Employer	
CRN	

Revised Funding Commitment Decision Comments:
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Post Commitment Rationale:

During the appeal review, it was determined that funds were improperly disbursed for funding request 1699103828. Based on an internal review, the funding amount was confirmed to be \$4,560.00 which is less than the amount that was disbursed. Therefore, USAC will seek recovery of \$4,560.00 in improperly disbursed funds from the applicant. Consequently, your appeal is denied.



BEN Name: ST LOUIS COUNTY LIBRARY

BEN: 136926

Post Commitment Wave: 65

Post Commitment Request Number: 123218	Post Commitment Request Type: Appeals	Post Commitment Decision: Denied
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FRN: 1699102466	Service Type: Data Transmission and/or Internet Access	Original Status: Funded	Revised Status: Funded
FCC Form 471: 161033546			

Dollars Committed			
Monthly Cost		One-Time Cost	
Months of Service	6		
Total Eligible Recurring Charges	\$19,380.00	Total Eligible One Time Charges	\$0.00
Total Pre-Discount Charges		\$19,380.00	
Discount Rate		40.00%	
Revised Committed Amount		\$7,752.00	

Dates	
Service Start Date	1/4/2017
Contract Expiration Date	6/30/2018
Contract Award Date	12/15/2014
Service Delivery Deadline	6/30/2017
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	Charter Communications
SPIN (498ID)	143005817
Contract Number	
Account Number	
Establishing FCC Form 470	899870001249580

Consultant Information	
Consultant Name	
Consultant's Employer	
CRN	

Revised Funding Commitment Decision Comments:
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Post Commitment Rationale:

During the appeal review, it was determined that funds were improperly disbursed for funding request 1699102466 . Based on an internal review, the funding amount was confirmed to be \$7,752.00 which is less than the amount that was disbursed. Therefore, USAC will seek recovery of \$7,752.00 in improperly disbursed funds from the applicant. Consequently, your appeal is denied.

Records / Customer Service Cases

#252941 - Appeals for FY16

Summary News Related Actions

Case Details

Topic Appeals - Other

Status Closed

Priority Medium

Inquiry Type Phone

Form Type FCC Form 471

Form Number

Created By USAC

Created On 10/25/2018 8:57 AM CST

Organization ST LOUIS COUNTY LIBRARY

Case Description

Description In reference to case number 248040 the reason the customer is calling received appeal decision and appeal got denied in FY 16 when he received the FCDL then honsetly Usac is requesting money back FCC Form 471#161033546 service dates 7/1/2016-6/30/17 when he received the appeal the start date 01/04/2017 so he is confused of why its 2 different dates? Don't know why they move the start date to that date?

Case Artifacts

Documents

Name	Uploaded By	Upload Date
Original 471 from FY16	Kristopher Mooney	10/25/18 1:01 PM
FCDL Screenshot	Kristopher Mooney	10/25/18 1:01 PM

Attachments

Attachment	Attachment Type
No items available	

Case Thread

User	Note	Date
USAC	<p>Thank you for contacting USAC Client Service Bureau regarding FCC form 486.</p> <p>You appealed the RIFD, however you did not appeal the cause of the decrease in your committed funds.</p> <p>If you have missed your Form 486 deadline, you should still file your form. There is no process in place to extend the deadline. If the Form 486 is filed late, USAC will adjust the Service Start Date of the FRNs on the Form 486 to the date 120 days before the Form 486 was certified. USAC will not pay discounts on services received before this date, and your funding commitment may be reduced based on the adjusted Service Start Date. Thus, the later your Form 486 is filed, the more your funding may be reduced.</p> <p>If the late filed Form 486 does result in a reduction of funding, you may submit an appeal to USAC if you disagree with this decision and would like to try to have your original Service Start Date restored.</p> <p>This information can be found on the FCC Form 486 Filing page of our website: http://usac.org/sl/applicants/step05/form-486.aspx</p> <p>Since your appeal was denied with USAC, you will now have to file an appeal with the FCC. Please follow the instructions:</p> <p>Parties that are seeking a waiver of FCC rules or that have filed an appeal with USAC and received a decision may, if they choose, appeal USAC's decision to the FCC. You must submit your appeal to the FCC within 60 days of the date when USAC issued the decision.</p> <p>On all communications with the FCC, be sure to</p>	11/2/2018 12:42 PM CST

User	Note	Date
	<p>reference the Docket No. 02-6.</p> <ol style="list-style-type: none"> 1. Go to https://www.fcc.gov/ecfs. Alternatively, from https://www.fcc.gov, click "ECFS" in the center of the page under "Access Now". 2. A page containing a filing search will open. At the top of the page, click "Submit a Filing". 3. In the "Proceedings" field, make sure to enter 02-6. 4. When filing a waiver request, be sure to choose WAIVER from the "Type of Filing" field. If you are filing an appeal, you may choose APPEAL. 5. Complete the rest of the fields as they are relevant. There are certain fields that are not applicable, such as the "Report Number" or "Bureau ID Number." 6. Upload your written letter of appeal or request for waiver, and any other applicable documentation. <p>In general, your appeal or waiver request should include:</p> <ol style="list-style-type: none"> 1. Your contact information and the entity name and entity number, or service provider name and SPIN of the organization you represent; 2. A label of appeal or waiver request; 3. Information regarding the USAC decision being appealed and a copy of USAC's decision, if applicable; 4. A statement setting forth the party's interest in the matter presented for review; 5. A full statement of relevant, material facts with supporting affidavits and documentation; 6. The question presented for review, with reference, where appropriate, to the relevant Commission rule, order or statutory provision; and 7. A statement of the relief sought and the relevant statutory or regulatory provision pursuant to which such relief is sought. <p>Electronic appeals will be considered filed on a business day if they are received at any time before 12:00 AM ET. If you have questions or comments about using the ECFS, please contact the FCC directly at (202) 418-0193 or via email at ecfshelp@fcc.gov.</p> <p>For the FCC's rules on appeals, you may also see Sections 54.719-54.72: http://www.ecfr.gov/cgi-bin/text-idx?SID=8f7ceac17a80d1abd798eb37023b5b75&node=p47.3.54&rgn=div5#se47.3.54_1719</p> <p>Additional information on filing appeals to USAC and the FCC is found on the Appeals page of the USAC website: http://usac.org/about/about/program-integrity/appeals.aspx</p> <p>If you have any questions or believe this case was closed incorrectly, please re-open this case or contact us at (888)-203-8100.</p> <p>Thank you, Annisha J. Universal Service Administrative Company (USAC) Client Service Bureau (888) 203-8100</p>	

User	Note	Date
	Thank you for contacting USAC Client Service Bureau regarding FCDL.	
	We have escalated your case to USAC customer service management for a response.	
USAC	If you have additional questions please contact us at (888)-203-8100.	10/31/2018 3:35 PM CST
	Thank you, Annisha J. Universal Service Administrative Company (USAC) Client Service Bureau (888) 203-8100	
Kristopher Mooney	I specifically want to know why the start date of services changed from the attached 471 and FCDL which was 07/01/16 to what is now on the revised FCDL of 01/04/17? I believe this is a mistake and should be corrected. The attached 471 and FCDL received has the correct start date of services. We were under contract at the time and services were performed from 07/01/16 - 01/04/17.	10/25/2018 1:01 PM CST
	Thank you for contacting USAC Client Service Bureau.	
	For us to respond to your question in a timely manner, we need the following information:	
	Send screenshot of FCDL.	
USAC	Please provide this information within 10 calendar days. If we have not heard from you by 11/05/2018, your case will be closed.	10/25/2018 9:38 AM CST
	If you have additional questions or need assistance, please contact us at (888)-203-8100.	
	Thank you, Annisha J. Universal Service Administrative Company (USAC) Client Service Bureau (888) 203-8100	

Case Contact

Case Contact Kristopher Mooney